ARC 7952B

LABOR SERVICES DIVISION[875]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)"b."

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 91A.9, the Labor Commissioner hereby gives Notice of Intended Action to amend Chapter 34, "Civil Penalties," Iowa Administrative Code.

The principal reason for adoption of this amendment is to implement Iowa Code chapter 91A and 2009 Iowa Acts, House File 618, by increasing the civil penalty for violations of Iowa Code chapter 91A.

Written data, views, or arguments to be considered in adoption shall be submitted no later than August 5, 2009, to Division of Labor Services, 1000 East Grand Avenue, Des Moines, Iowa 50319-0209. Comments may be sent electronically to kathleen.uehling@iwd.iowa.gov.

If requested in accordance with Iowa Code section 17A.4(1)"b" by the close of business on August 4, 2009, a public hearing will be held on August 5, 2009, at 1:30 p.m. in the Stanley Room at Iowa Workforce Development, 1000 East Grand Avenue, Des Moines, Iowa. The public will be given the opportunity to make oral statements and submit documents. The facility for the oral presentations is accessible to and functional for persons with physical disabilities. Persons who have special requirements should telephone (515)242-5869 in advance to arrange access or other needed services.

This amendment is intended to implement 2009 Iowa Acts, House File 618, and Iowa Code chapter 91A.

The following amendment is proposed.

Amend subrule 34.3(2), introductory paragraph, as follows:

34.3(2) The gross penalty for each distinguishable violation shall be $100 $500. The following are examples of distinguishable violations: